

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

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U.S. DISTRICT COURT
AUGUSTA DIV.

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TAMMY BONAM,

Plaintiff,

v.

ANDREW M. SAUL, Commissioner
of Social Security,

Defendant.

CV 119-024

O R D E R

Before the Court is Defendant's motion for entry of judgment, reversal, and remand pursuant to sentence four of 42 U.S.C. § 405(g). (Doc. 13.) Defendant asks the Court to reverse and remand for "further consideration and administrative action." (Br. Supp. Mot. to Remand, Doc. 13-1, at 1.)

Under 42 U.S.C. § 405(g), a district court can remand a case to the Social Security Commissioner "by two methods, which are commonly denominated 'sentence four remands' and 'sentence six remands.'" Ingram v. Comm'r of Social Sec. Admin., 496 F.3d 1253, 1261 (11th Cir. 2007). Sentence four grants the district court "power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). Therefore, under

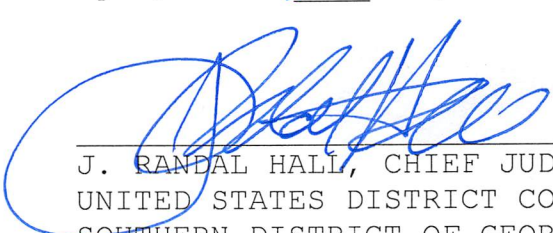
sentence four, a court has discretion to remand, but it must enter a final judgment reversing, modifying, or affirming the Commissioner's decision. Melkonyan v. Sullivan, 501 U.S. 89, 99-102 (1991).

Pursuant to Local Rule 7.1(b), Defendant certifies that the present motion is unopposed. (Br. Supp. Mot. to Remand, at 2.) Upon due consideration, the Court **GRANTS** Defendant's motion for entry of judgment, reversal, and remand (Doc. 13) and **REVERSES** the decision of the Commissioner of Social Security. The Court **DIRECTS** the Clerk to **REMAND** the cause to the Commissioner for further consideration. On remand:

[T]he Commissioner will consider whether to use a higher age category, obtain supplemental evidence from a vocational expert, identify and resolve any conflicts between the vocational expert's testimony and information in the Dictionary of Occupational Titles, offer the Plaintiff the opportunity for a new hearing, and take any other action deemed necessary.

(Br. Supp. Mot. to Remand, at 1-2.) The Clerk is further directed to **ENTER** a separate judgment consistent with this Order pursuant to Federal Rule of Civil Procedure 58, **TERMINATE** all pending motions and deadlines, and **CLOSE** this case.

ORDER ENTERED at Augusta, Georgia, this 24th day of April, 2020.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA